

**COMMITTEE MEETING FOR THE
UINTA AND WHITEROCKS RIVERS
OF FEBRUARY 28, 2007, 8:00 A.M.
MINUTES**

Present: Shane Hamblin, River Commissioner for the Uinta and Whiterocks Rivers; Lynn Hansen, Uintah Indian Irrigation Project; Steve Hanberg, Associated Water Users Association; and Vaughn Parrish, Ouray Park Irrigation Company

Budget Expended in 2006

We went over the 2006 expended budget and noted the over expenditures and under expenditures. Mileage was under expended and it was noted that it should be reduced even more in the future as more of the system is automated. The Workers Compensation Fund was over expended because of higher premiums assessed this year. Office expenses were under expended this year—they had been higher in the past because a new furnace was installed in the building. The last two years it had been necessary to budget \$10,000 each year for automation to have matching funds for government grants. Both years it had been agreed upon by the committee that \$6,000 be budgeted in on the River Commissioner budget and use the river funds for the remaining \$4,000 needed. Automation work done in 2006 expended \$12,030.66, with \$7,983.57 left remaining.

Automation

There is additional automation work still left to complete. The Ouray Extension canal has an antenna installed but needs the computer equipment installed. The Uintah Independent canal has the clock house added and the headgate repaired, but also needs the computer equipment installed. With these grant monies we have had the Bureau of Reclamation do the installation work. There has been no word on when the Bureau of Reclamation will be out again. They also need to change the radio frequency on automation and monitoring sites. There has been additional 2025 grant money applied for but may not be available until next year. There would be nearly \$8,000 budgeted in the past that would be rolled over to the new budget for additional automation matching funds. So, for the 2007 budget we would only budget \$1,000 for automation.

Mountain Reservoirs

The budget was overexpended on mountain reservoir inspection. In years with higher snowpack it is not important to check the reservoirs. With the exceptionally great water year of 2005, the Whiterocks Irrigation Company had held half of its hydraulic head in Paradise Reservoir over to the 2006 water year, and the Dry Gulch Irrigation Company had held half of its hydraulic head in the Upper Chain and Atwood lake reservoirs. This helped them fill in 2006.

Phone

The phone expenditure was over expended. This was due in part to exceeding the plan minutes in the months of April and May. The plan has been upgraded with more minutes now. Also, the

Bureau of Reclamation has switched from cell phones to radios at all of the automated and monitoring sites, which should help with the phone bill.

Annual Legal Fees

We clarified for new committee members what “annual legal fees” entail—preparation of the petition for the court and attorney representation at the court hearing.

Health Insurance

We have been budgeting for health insurance for the past four years, but it is not necessary to have now, so it will be discontinued.

Under Expenditure Amounts

It was explained how any amounts under expended will be used to reduce the budget of the following year.

Bank Accounts and Time Deposits

The question arose on how much money is in the bank accounts and what kind of interest the bank is offering. It was suggested that we may want to move the River Funds to a credit union where a term deposit of only one year is offered and there may be better interest rates for interest bearing accounts.

River Funds

There was a discussion on the amount of the river funds and what they could be expended for. It was explained that the River funds are in separate holding account and not an operating account. These funds were set up years ago to deal with emergencies on rivers such as flooding and legal issues such as court costs. When they separated the two river systems and made two separate river commissioners, the River Funds were split—part stayed with the Lake Fork River Commissioner, and the rest came to Uinta River Commissioner. There was a question raised about the River Funds being used on heavy equipment work in the year 2006. The clarification was given that these funds were expended for backhoe work at the bifurcation, which is a river commissioner heading that disperses water to the benefit of the whole system of water users, and not individual companies. The question was raised as to who has oversight of this money from the river fund. It was explained that the court has the actual oversight of the river funds, but this committee makes the recommendation to the court as to how it should be spent, in most cases. In a committee meeting of the past it had been agreed that river commissioner could spend up to \$2,000 annually (in the past \$2,000 was approximately the amount earned in interest annually), at his discretion, for heavy equipment work in emergency situations. The court approves the budget but generally the river fund money is not in budget.

Bifurcation

An explanation was given of where the bifurcation is and how it works to divert water from the western channel of the Uinta River to the eastern bifurcation channel, which delivers Uinta River water in above the U.S. Deepcreek Canal. The possibility was discussed of automating the bifurcation. Automation may help with fluctuations of high water. The bifurcation structure probably needs major work before automation could be installed. There is the possibility of getting 2025 grant monies to repair or rebuild the structure. Automation would help with the difficulty of getting to the Bifurcation during high water. It was suggested that we look into what really needs to be done with the structure and then find funding sources to repair or replace the existing structure.

Operating Account

The operating account is in a savings account and then money is transferred into a checking account. There is an overlap of funds from the previous year until the fees are collected for the present years budget. The unexpended budget from last year was used to reduce the present years budget. Committee members expressed the desire that it would be nice to be able to look at bank account ledgers showing expenditures and account balances at the committee meetings.

Salary Raise

Lynn Hansen made the motion to accept proposed budget as presented. Steve Hanberg wanted to discuss the River Commissioner's proposed raise. In 2004 the committee had agreed to budget in health insurance with an understanding that benefits are comparable to a salary, and that the river commissioner would not receive a pay raise until the health insurance premium in excess of a raise had been recouped. With the health insurance being dropped in 2007, the proposed budget reflected a 3% raise figured up through 2007. The committee conveyed the opinion that since the commissioner had benefitted from health insurance, that the raise should be 3% of the 2004 salary. After some discussion there was a compromise reached and an increase was approved of about half of the increase requested. Lynn would like to see a set raise increase approved for each year so it would be easier to project the upcoming budget. The River Commissioner job should be comparable to state jobs which would receive raises of 2% or 3%. It was tentatively agreed that a 3% raise would be used in the future.

Financial Year End Changed

Steve Hanberg conveyed that the Associated Water Users would like to have the river report available earlier in the year. It was requested that the financial year coincide with the water year of November 1 through October 31 and that the committee meeting be held 2 weeks later in mid November. Lynn Hansen said the same problem had existed on the Lakefork side so, starting this year, they had changed the budget year to now be November 1 to October 31 to match the water year. It was decided that we don't have to wait until January to do financial part—interest information would be available from the bank and some billing such as that for the building may be moved up or held over into the next year.

Motions

There was a motion to accept budget with one adjustment on salary and a second on the motion. There was also a motion and a second that beginning November 1, starting this year, the financial year would operate from November 1 to October 31, and the committee meeting would be moved to sometime between November 15 and December 1. It was noted that this would mean the Associated Water Users committee person would serve again in the same year. The River Commissioner was also to present the budget with 3% raise each year and if there were no problems, they will go with it.. Vaughn Parrish was nominated to be committee chairman who would sign the court papers. Voting was unanimous

Check Signers

Steve Hanberg informed us that the Moon Lake Water Users Association has a policy of two signers on checks and he suggested that it be done for the River Commissioner for his protection and theirs. The Lake Fork Commissioner to also be set up that way. It was decided to have the committee members and commissioner on file with signature cards at the bank.

Itemized List of Expenditures

Vaughn Parrish suggested that it would be nice to be presented with an itemized list of what the expenditures are for. Typically most boards meet each month and go over expenditures monthly, but we need to do it on a yearly basis, so there is a need for some transparency of what is going on. For example, what are the office expenses for. It was pointed out that most computers have programs for expenses.

Water Distribution

Lynn Hansen said he is never worried about getting their fair share of water, however, he had had some concerns about how things operated with Whiterocks Irrigation last year. He is requesting that if there is any rain event, the gates are set so the natural flow comes on down to them and not to Whiterocks Irrigation. In 2006 Whiterocks Irrigation had released more water out of their storage lakes than they could pull out of river into their headgates. The automated gate had been set for the cubic feet per second they were releasing from the lakes and when the flow had dropped below that set amount, the auto gate opened up all the way, calling for more water. When a rain flush hit, it went into their open headgate. Lynns response to this was, "I'm sorry but you missed your water when it went past your headgates." The River commissioner had felt kind of obligated to make up their water until he contacted Bob Leak, the State Engineer and was informed that if water goes past the headgate—it is lost—unless the water users below that benefitted feel sorry for them and want to give them some back.. The River Commissioner was requested to monitor that pretty closely. Whiterocks Irrigation had said they learned their lesson and this won't happen again. Lynn also made the plea that any water diverted out of the river gets charged to the companies because it makes a difference on the assessment the Uintah Irrigation Project (BIA) receives. If all water is measured then everybody pays their fair share. There has been a problem in the past of not knowing how much water the Uinta River Irrigation Company (Moffat) was receiving out of the pipeline shared with the Uintah Irrigation Project. The River Commissioner had to check with company and ask how much water they thought they

used. There is to be new monitoring equipment installed to correct this problem. There is also a problem of the Huffman's pond. If we run all water through the pipeline into pond it is monitored, but they are running water out of the old moffat canal into the pond. All of the Moffat water should be in the pipeline except for a part they need between Cottonwood Reservoir and where the pipeline comes in. There is a need for a weir before the water goes into the Huffman pond. That weir could also measure water spilling from pond. In the past if the pond automation is set so it doesn't overflow and a flush of water goes into Park Canal, the Uinta River Irrigation Company disapproves because their filing comes before Park's. The best solution would be to increase the outflow out of the pond into the pipeline and open the outflow gate to the Uinta River Irrigation Company. When everything is completed with the pipeline the overflow from the pond into the Moffat Canal will not help anybody. In the past the River Commissioner has tried to estimate the overflow amount and charged that to the Uinta River Irrigation Company. Lynn Hansen believes it possible to rate the overflow as a rectangular weir since we know the pond elevation.

Whiterocks River Committee Representative

Steve Hanberg suggested that the Whiterocks River Committee Representative alternate annually between Whiterocks Irrigation and Ouray Park Irrigation companies as an option. It was pointed out that a reason the two companies had agreed to the length of two years is that it would give a representative a long enough term to understand what is going on. The court documents do not say how to determine which company will represent the Whiterocks River or the length of service but the two companies had come to a mutual agreement on the two year term.